

## REMARKS / ARGUMENTS

Applicant hereby elects Group I, that is, claims 1-15 with traverse, for prosecution in this application without prejudice to the right to file one or more continuation/divisional applications covering the remaining claims. Claim 4 has been canceled herein. Claims 1, 9, 10, 11, and 14 have been amended herein. Claim 45 is a new claim. A check in the amount of \$42.00 is included for payment of one additional independent claim. Claims 1-3, 5-15, and 45 remain pending in this application.

The species routes of administration of the photosensitizing agent via intravenous injection, an injection proximate to the primary tissue site, a topical administration, a subcutaneous injection, and an injection within the primary tumor site would be obvious variants of each other.

The species administration of an adjuvant after the administration of photodynamic light therapy is elected.

The species administration of an immune modulator after the administration of photodynamic light therapy is elected.

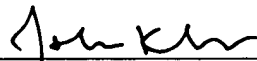
Applicant reserves the right to file one or more continuation / divisional applications directed to other species administrations of adjuvants and/or immune modulators before, during, or after the administration of photodynamic light therapy.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

All formal matters having been attended to, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,

By:

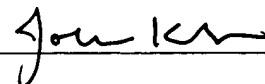


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Dated: February 22, 2002

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8: I hereby certify that this paper and any papers referred to herein are being deposited with the U.S. Postal service, as first class mail, postage prepaid, addressed to Commissioner for Patents Washington, D.C. 20231 on February 22, 2002.

John F. Klos:  
Signature



**Version with markings to show changes made (2/22/02)**

1. (amended) A method of treating a living body having a primary tumor and a metastatic tumor, said method comprising:

identifying a primary tumor tissue site of the living body;

combining an administration of an immunologic adjuvant at a predetermined concentration to said body, said predetermined concentration being approximately a standard concentration for immunization procedures of said body, said administered immunologic adjuvant resulting in a systemic condition of heightened nonspecific enhanced immune system of the body, including an increased level of nonspecific immune-related molecular and cellular factors and cells, [and an] with a previous administration of a photodynamic light therapy proximate said primary tumor tissue site, said photodynamic light therapy having a light wavelength and a sufficient light dosage to eradicate tumor cells within the primary tumor tissue site, said eradicated primary tumor tissue site cells releasing necrosis-related tumor cell specific antigens; and

promoting and enhancing a systemic immunologic response of said body as a result of an interaction between the increased level of nonspecific immune-related molecular and cellular factors and cells and photodynamic light therapy released tumor cell specific antigens, said systemic immunologic response yielding increased levels of tumor cell specific antibodies and other immunologic anti-tumor cell specific products and cells for eradicating cells of the metastatic tumor.

Please cancel claim 4.

9. (amended) The method of claim 1 wherein the administration of the [immunologic adjuvant] photodynamic light therapy precedes the administration of the [photodynamic light therapy] immunologic adjuvant by a period of days.

10. (amended) The method of claim 1 wherein the administration of the photodynamic light therapy precedes the administration of the immunologic adjuvant by a period of hours.

11. (amended) The method of claim [1] 9 wherein the administration of the photodynamic light therapy [and the] precedes the administration of the immunologic adjuvant [occur at least in part simultaneously] by a period of 2 to 9 days.

14. (amended) The method of claim 1 further comprising the step of:  
administering [of] an immune modulator to the body [before, during, or] after the administration of photodynamic light therapy.

45. (new) A method of treating a living body having a primary tumor and a metastatic tumor, said method comprising:  
identifying a primary tumor tissue site of the living body;  
administering a photodynamic light therapy proximate said primary tumor tissue site, said photodynamic light therapy having a light wavelength and a sufficient light dosage to eradicate tumor cells within the primary tumor tissue site, said eradicated primary tumor tissue site cells releasing necrosis-related tumor cell specific antigens;  
administering an immunologic adjuvant at a predetermined concentration to said body, said predetermined concentration being approximately a standard concentration for immunization procedures of said body, said administered immunologic adjuvant resulting in a systemic condition of heightened nonspecific enhanced immune system of the body, including an increased level of nonspecific immune-related macrophage cells; and  
promoting and enhancing a systemic immunologic response of said body as a result of an interaction between the increased level of nonspecific immune-related macrophage cells and photodynamic light therapy released tumor cell specific antigens, said systemic immunologic response yielding increased levels of tumor cell specific antibodies and other immunologic anti-tumor cell specific products and cells for eradicating cells of the metastatic tumor resulting in a decrease in metastatic tumor size.